

REMARKS/ARGUMENTS

Status of the Claims

Claims 20-38 are currently pending in the application. No claims have been amended, added, or cancelled. Therefore, claims 20-38 are present for examination. Claims 20, 36, and 37 are independent claims.

Claim Rejection Under 35 U.S.C. 102

Claims 20-25, 28-31, 33, and 36-38 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pub. No. 2006/0189384 A1 to Crawford, III et al. ("Crawford"). We thank the Examiner for responding to our previous arguments. We note that the Examiner has disagreed with our submission that Crawford cannot be afforded the earliest filing date of October 24, 2003 of priority U.S. Provisional Application No. 60/481,555. The Examiner has provided guidance on where certain features are allegedly disclosed in the priority U.S. Provisional Application No. 60/481,555 to allow the Examiner to rely on the material in Crawford.

Claim 20:

First, it has been established, and without objection from the Examiner, that the present application is afforded the filing date of the parent PCT application, which was filed June 21, 2004. In the present Office Action, the Examiner rejects independent claim 20, under 35 U.S.C. § 102(c), as being anticipated by Crawford. *See Office Action*, p. 2. The Examiner expresses in the Office Action that the disclosure of Crawford should be given the priority date of the provisional application, U.S. Provisional Application No. 60/481,555, dated October 24, 2003. *See Office Action*, p. 7. We maintain that the rejection of claim 20 using Crawford is not proper.

Claim 20 defines, inter alia, "playing cards displayed (in face down representation) on the player screens are adapted for graphical manipulation in response to continuous touch movements detected through the touch sensing units, the manipulation

comprising a three-dimensional representation so as to at least partially reveal the playing cards from a face down representation". This claim element is not taught by U.S. Provisional Application No. 60/481,555.

Missing Limitation: "a touch sensing unit associated with each player screen, wherein playing cards displayed on the player screens are adapted for graphical manipulation in response to continuous touch movements detected through the touch sensing units"

Claim 20 requires that "a touch sensing unit associated with each player screen, wherein playing cards displayed on the player screens are adapted for graphical manipulation in response to continuous touch movements detected through the touch sensing units." The Examiner has directed us to [0028] of U.S. Provisional Application No. 60/481,555 for teaching a touch screen and for teaching movements detected through touch sensing units. We have reviewed paragraph [0028] and note that paragraph [0028] only mentions briefly a video display that is touch sensitive and responsive to touch input. There is no description of what the touch sensitive display is used for. Interaction with the touch sensitive display may well be used for inputting credits, etc.

There is certainly no disclosure or any suggestion of using the touch sensitive display for graphically manipulating playing cards in response to continuous touch movements. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also certainly no disclosure or suggestion of manipulating cards to "at least partially reveal the playing cards from a face down representation".

Thus, in this regard, claim 20 is novel and patentable over this teaching from U.S. Provisional Application No. 60/481,555. Any matter later added to this teaching in Crawford cannot be afforded the filing date of U.S. Provisional Application No. 60/481,555.

Further, the Examiner has directed us to [0040] of U.S. Provisional Application No. 60/481,555 for teaching graphical manipulation. At [0039] of U.S. Provisional Application No. 60/481,555, there is described use of a privacy enhanced computer display that alternately displays desired information and the inverse image of the desired information such that a wearer wearing ferroelectric shutter glasses can view the desired information. An improvement is proposed in [0040] to allow the player to use a prompting system to enable viewing and

readability only when desired. The prompting system is in the form of a blackout, or screen saver or a combination of both. When used, the prompting system can be temporarily removed to reveal the cards to the player wearing the ferroelectric shutter glasses.

We respectfully submit that, at best, paragraph [0040] only describes a manipulation of a display (coupled with use of special glasses). There is clearly no disclosure or suggestion of playing cards displayed on player screens that are adapted for graphical manipulation in response to continuous touch movements detected through touch sensing units. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also no disclosure or suggestion of any graphical manipulation of the playing cards to at least partially reveal the playing cards from a face down representation.

Furthermore, this example embodiment of U.S. Provisional Application No. 60/481,555 requires the use of ferroelectric shutter glasses to reveal cards (in face up representation). We respectfully submit that this embodiment does not teach or even suggest displaying playing cards (in face down representation) on a player screen, the playing cards adapted for graphical manipulation in response to continuous touch movements and the manipulation comprising a three-dimensional representation so as to at least partially reveal the playing cards from the face down representation.

Thus, in this regard, claim 20 is already novel and patentable over this teaching from U.S. Provisional Application No. 60/481,555. Any matter later added to this teaching in Crawford cannot be afforded the filing date of U.S. Provisional Application No. 60/481,555.

Missing Limitation: "the manipulation comprising a three-dimensional representation so as to at least partially reveal the playing cards from a face down representation"

Claim 20 requires that "the manipulation comprising a three-dimensional representation so as to at least partially reveal the playing cards from a face down representation." In addition, the Examiner has alleged that paragraphs [0032] to [0045] of the U.S. Provisional Application No. 60/481,555 teach at least partially revealing playing cards from a face down representation. We disagree.

There is never any face down representation of cards disclosed or suggested in U.S. Provisional Application No. 60/481,555. Indeed, the entire teaching of U.S. Provisional Application No. 60/481,555 is directed at finding ways of obscuring cards from unauthorized viewers, and not revealing cards from a face down representation. A card in a face down representation is the direct opposite of a card in face up representation. A person skilled in the art would appreciate that revealing a portion of a card from a face down representation using graphical manipulation in response to continuous touch movements (the manipulation comprising a three-dimensional representation) is clearly different from using a device/electronic window to obscure a card already in face up representation and then removing the device/electronic window to reveal the card in face up representation (as is the case in U.S. Provisional Application No. 60/481,555).

From these paragraphs [0032] to [0045], the playing cards (i.e., hole cards 18) are described as being displayed for the player. A person skilled in the art would understand that this means that the cards are displayed in a face up representation. Indeed, this appears to be the intention. *See e.g.*, last sentence of [0044]. There is no disclosure or suggestion of cards being revealed from a face down representation. Furthermore, there is no disclosure or suggestion of any three-dimensional representation. On this basis alone, claim 20 is novel and patentable over this teaching from U.S. Provisional Application No. 60/481,555. Any matter later added to this teaching in Crawford cannot be afforded the filing date of U.S. Provisional Application No. 60/481,555.

Our detailed clarification of the embodiments in paragraphs [0032] to [0045] of U.S. Provisional Application No. 60/481,555 follows.

At paragraph [0032] of U.S. Provisional Application No. 60/481,555, there is described use of a mechanical opaque spring-tensioned cover that obscures a touch sensitive screen and the cover must be physically moved by the player to reveal the cards. It is described that this can eliminate unauthorized viewing of the cards. We respectfully submit that this embodiment is clearly different from the features of claim 20.

There is no disclosure or suggestion of playing cards displayed (in face down representation) on player screens that are adapted for graphical manipulation in response to continuous touch movements detected through touch sensing units. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also no disclosure or suggestion of any graphical manipulation of the playing cards to at least partially reveal the playing cards from a face down representation.

At paragraph [0033] of U.S. Provisional Application No. 60/481,555, there is described use of a mechanical shuttering device analogous to a window blind to conceal the electronic representation of a player's cards. We respectfully submit that this embodiment is clearly different from the features of claim 20.

There is no disclosure or suggestion of playing cards displayed (in face down representation) on player screens that are adapted for graphical manipulation in response to continuous touch movements detected through touch sensing units. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also no disclosure or suggestion of any graphical manipulation of the playing cards to at least partially reveal the playing cards from a face down representation.

At paragraph [0034] of U.S. Provisional Application No. 60/481,555, there is described use of mechanical multiple polarized displays incorporated over (and external to) a console to obscure unauthorized viewing of cards. Viewing is carried out by aligning polarities of the displays. We respectfully submit that this embodiment is clearly different from the features of claim 20.

There is no disclosure or suggestion of playing cards displayed (in face down representation) on player screens that are adapted for graphical manipulation in response to continuous touch movements detected through touch sensing units. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also no disclosure or suggestion of any graphical manipulation of the playing cards to at least partially reveal the playing cards from a face down representation.

At paragraphs [0035] to [0038] of U.S. Provisional Application No. 60/481,555, there is described use of a mechanical opaque cover or screen attached (and external) to a PDA-like device to conceal the cards displayed on the touch sensitive screen of the PDA-like device. We respectfully submit that this embodiment is clearly different from the features of claim 20.

There is no disclosure or suggestion of playing cards displayed (in face down representation) on player screens that are adapted for graphical manipulation in response to continuous touch movements detected through touch sensing units. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also no disclosure or suggestion of any graphical manipulation of the playing cards to at least partially reveal the playing cards from a face down representation.

As mentioned above, at paragraphs [0039] to [0040] of U.S. Provisional Application No. 60/481,555, there is described use of a privacy enhanced computer display that alternately displays desired information and the inverse image of the desired information such that a wearer wearing ferroelectric shutter glasses can view the desired information. An improvement is proposed to allow the player to use a prompting system to enable viewing and readability only when desired. The prompting system is in the form of a blackout, or screen saver or a combination of both. When used, the prompting system can be temporarily removed to reveal the cards to the player wearing the ferroelectric shutter glasses.

We respectfully submit that, at best, there is only a manipulation of a display (coupled with use of special glasses). There is clearly no disclosure or suggestion of playing cards displayed (in face down representation) on player screens that are adapted for graphical manipulation in response to continuous touch movements detected through touch sensing units. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also no disclosure or suggestion of any graphical manipulation of the playing cards to at least partially reveal the playing cards from a face down representation.

Furthermore, this example embodiment of U.S. Provisional Application No. 60/481,555 requires the use of ferroelectric shutter glasses to reveal cards (in face up

representation). We respectfully submit that this embodiment is clearly different from the features of claim 20.

At paragraph [0041] of U.S. Provisional Application No. 60/481,555, there is described use of an opaque electronic window within the confines of a monitor device. The opaque electronic window is movable to obscure cards. We respectfully submit that this embodiment is clearly different from the features of claim 20.

There is no disclosure or suggestion of playing cards displayed (in face down representation) on player screens that are adapted for graphical manipulation in response to continuous touch movements detected through touch sensing units. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also no disclosure or suggestion of any graphical manipulation of the playing cards to at least partially reveal the playing cards from a face down representation.

At paragraphs [0042] to [0043] of U.S. Provisional Application No. 60/481,555, there is described use of a microcomputer display system adapted to eyeglasses or the like to display images only to the wearer of eyeglasses or the like. We respectfully submit that this embodiment is clearly different from the features of claim 20.

There is no disclosure or suggestion of playing cards displayed (in face down representation) on player screens that are adapted for graphical manipulation in response to continuous touch movements detected through touch sensing units. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also no disclosure or suggestion of any graphical manipulation of the playing cards to at least partially reveal the playing cards from a face down representation.

At paragraph [0045] of U.S. Provisional Application No. 60/481,555, there is described use of a charged particle display positioned over or within a monitor device displaying the cards. The optical characteristic of the display can be changed to remove the opacity of the charged particle display to reveal cards displayed underneath. We respectfully submit that this embodiment is clearly different from the features of claim 20.

There is no disclosure or suggestion of playing cards displayed (in face down representation) on player screens that are adapted for graphical manipulation in response to continuous touch movements detected through touch sensing units. There is certainly no disclosure or suggestion of graphical manipulation comprising a three-dimensional representation. There is also no disclosure or suggestion of any graphical manipulation of the playing cards to at least partially reveal the playing cards from a face down representation.

Our above submissions show that claim 20 is novel over the entire disclosure of priority U.S. Provisional Application No. 60/481,555 and therefore, novel over any relevant matter in Crawford that can validly claim priority from U.S. Provisional Application No. 60/481,555.

Thus, even if any disclosure can be cited from Crawford against the novelty of claim 20 (which we emphasize there is none), these matters cannot be afforded the earliest filing date of October 24, 2003 of priority U.S. Provisional Application No. 60/481,555.

We maintain that the relevant "prior art" description relied upon by the Examiner from Crawford in constructing the novelty objections has been added only in the complete U.S. Application No. 10/939,772 with a filing date of September 13, 2004, i.e., after the filing date of our present application.

For completeness, we turn now to Crawford.

At paragraph [0089] of Crawford, it is described that a controller detects a trigger event and displays a portion of a front side of a card in response to the trigger event. At paragraph [0090], it is described that the words "Press Here to Reveal Hole Cards" are displayed. At paragraph [0093], it is described that the cards are displayed until the player stops touching a predetermined location. At paragraph [0096], it is described that when the trigger event is detected, at least a portion of the front side of the cards is displayed. At paragraphs [0098] to [0099], it is described that the serial display of an animation sequence of displaying a portion of the cards is composed of a series of images of the playing cards.

Thus, there is no disclosure or suggestion of playing cards that "are adapted for graphical manipulation in response to continuous touch movements detected through touch

sensing units”, as defined in claim 20, i.e., graphical revelation of the playing cards is via continuous tracking/mapping a player’s finger touch at a touch unit.

Rather, a person skilled in the art would understand that Crawford merely suggests a player touching a predetermined location and the cards may be revealed via a fixed animation sequence. That is, merely revealing playing cards based on simply sensing a touch at a touch screen, i.e., without the capability of graphically revealing based on tracking/mapping a player’s finger touch.

Thus, even if we consider Crawford by itself, claim 20 is novel and patentable over Crawford.

However, we repeat that the above arguments against Crawford are purely academic since from our explanation above with regard to U.S. Provisional Application No. 60/481,555, we respectfully submit that any description of cards displayed face down, and/or having a three-dimensional representation in Crawford cannot be afforded the earliest filing date of October 24, 2003 of priority U.S. Provisional Application No. 60/481,555.

Therefore, the Crawford document cited by the Examiner does not constitute prior art for the purpose of 35 USC § 102(e), in relation to the description relied on by the Examiner for rejecting claims 20-25, 28-31, 33 and 36-38. Therefore, we respectfully request the Examiner to withdraw the claim rejections in relation to Crawford,

Furthermore, we respectfully request the Examiner to re-consider the claim rejections for the rest of the claims in view of the teachings of U.S. Provisional Application No. 60/481,555:

Reconsideration of the claim rejections under 35 USC § 102 is respectfully requested.

Claim Rejection Under 35 U.S.C. 103

With regard to the claim rejections under 35 USC § 103(a) in view of Thomas (US 2002/0173353 A1) and Crawford, and in view of Crawford with the AAPA, we reiterate that the Crawford document cited by the Examiner does not constitute prior art for the purpose of

35 USC § 102(e), in relation to the description relied on by the Examiner for rejecting the claims. Therefore, we respectfully request the Examiner to withdraw the claim rejections under 35 USC § 103(a) for the claims being rejected under 35 USC § 102(e).

Therefore, reconsideration of the claim rejections under 35 USC § 103 in view of Thomas and Crawford, and Crawford and the AAPA, is respectfully requested.

In view of the above, we respectfully submit that independent claim 20 is patentable over the cited art.

Claims 21-35:

Claims 21-35 all depend from allowable independent claim 20. Thus, claims 21-35 are all allowable over the cited prior art due, at least, to this dependence. Furthermore, features of these claims are not found in the priority U.S. Provisional Application No. 60/481,555. Thus, we respectfully submit that these claims are patentable over U.S. Provisional Application No. 60/481,555 and the relevant description from Crawford that can validly claim priority to U.S. Provisional Application No. 60/481,555.

Claims 36 and 37:

As noted by the Examiner, independent claims 36 and 37 include similar claim elements as claim 20. *See Office Action*, p. 5. Thus, for reasons similar to those mentioned with regard to claim 20 (that Crawford is not prior art), claims 36 and 37 are also allowable over the cited prior art.

Claim 38:

Claim 38 depends from allowable independent claim 37. Thus, claim 38 is allowable over the cited prior art due, at least, to this dependence. Furthermore, features of claim 38 are not found in the priority U.S. Provisional Application No. 60/481,555. Thus, we respectfully submit that claim 38 is patentable over U.S. Provisional Application No. 60/481,555 and the relevant description from Crawford that can validly claim priority to U.S. Provisional Application No. 60/481,555.

Appl. No. 10/519,310
Amdt. dated December 2, 2008
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Examining Group 3714

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. Applicants do not acquiesce to any argument not specifically addressed herein. Rather, applicants believe the amendments and arguments presented herein overcome all rejections and arguments.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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